

UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF FLORIDA
FORT MYERS DIVISION

SHARON AUTH and TOM
AUTH,

Plaintiffs,

v.

Case No. 2:20-cv-773-FtM-38NPM

AIG PROPERTY CASUALTY
COMPANY,

Defendant.

ORDER

Before the Court are the parties' Pretrial & Discovery Plan (Doc. 11), Plaintiffs' Opposed Motion to Strike Affirmative Defenses (Doc. 13), and Response in Opposition (Doc. 15). In the Track Two Notice (Doc. 6), the parties were directed to complete a Pretrial and Discovery Plan found on the assigned judge's website. The parties did not complete the correct form found on Judge Mizell's website and therefore the Court will strike it. The Court directs the parties to complete the proper form.

Relatedly, Plaintiffs filed a Motion to Strike Affirmative Defenses (Doc. 13). This Court has a section in its Pretrial & Discovery Plan concerning motions to strike. The Court will deny without prejudice Plaintiffs' Opposed Motion to Strike

Affirmative Defenses (Doc. 13) to give Plaintiffs an opportunity to comply with this Court's directives, if they can.

Accordingly, it is **ORDERED**:

- (1) The Opposed Motion to Strike Affirmative Defenses (Doc. 13) is **DENIED without prejudice**.
- (2) The Pretrial & Discovery Plan (Doc. 11) is **STRICKEN** and the Clerk is directed to amend the docket to reflect that it is stricken.
- (3) By December 3, 2020, the parties are to file a Pretrial & Discovery Plan found on the assigned magistrate judge's website.

DONE and **ORDERED** in Fort Myers, Florida on November 19, 2020.



NICHOLAS P. MIZELL
UNITED STATES MAGISTRATE JUDGE